

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: application of:

Theoharis C. Theoharides

Group Art Unit: 1614

Filing date: TBA

Examiner: Charisse Evans

Serial No.: TBA

Priority from copending PCT/US02/00476, filed 01/03/2002,
copending USSN 09/771,669, filed 01/30/2001, and USSN 09/056,707, filed
4/8/1998, now USPN 6,689,748, issued 2/10/2004

For: Olive Kernel Organic Extract Product: Solubility and Absorption Promoter

PRELIMINARY AMENDMENT

Commissioner for Patents

Box 1450

Alexandria, VA 22313-1450

Mail Stop: DIV/CIP PATENT APPLICATION (1.53(b))

Sir:

Prior to examination, please replace the original title with –Olive Kernel Organic Extract Product: Solubility and Absorption Promoter

Prior to examination, please add after the title: --This application takes its priority from copending PCT/US02/00476, filed 01/03/2002, copending USSN 09/771,669, filed 01/30/2001, and USSN 09/056,707, filed 4/8/1998, now USPN 6,689,748, issued 2/10/2004

Prior to examination of the attached patent application, please delete claims 1-39 recited therein, and replace with the following new claims:

40. An olive kernel organic extract.

41. The extract of claim 41, prepared by a process consisting of the steps of:

(i) harvesting first collection ripe olives

(ii) compressing the oil from the flesh of said ripe olives;

(iii) harvesting the kernels remaining after said compressing;

(iv) washing said kernels with water to remove debris so as to produce washed kernels;

- (v) drying said washed kernels with a stream of hot air;
- (vi) crushing said dried kernels to produce an extract;
- (vii) extracting the extract from step (vi) with an organic solvent and steam to obtain a crude organic extract;
- (viii) removing particulates from said crude organic extract by centrifugation or microfiltration through a filter to produce a clarified organic extract; and,
- (ix) evaporating said organic solvent and said water from said clarified organic extract by heating, while percolating an inert gas through said organic extract to prevent oxidation of components of said extract.
- (x) storing the product of (ix) in the absence of air.

42. The extract of claim 41, wherein said olives are harvested in December.

43. The extract of claim 41, wherein said organic solvent is hexane, heptane or octane.

44. The extract of claim 41, wherein said microfiltering is done with a 1-2 micron pore size filter.

45. The extract of claim 41, wherein said organic solvent and water are removed in step (ix) at a temperature of 85-100 degrees C.

46. The extract of claim 41, wherein the final organic extract product contains <1% water, <3% acidity as oleic acid, and <1% of organic solvent.

47. The extract of claim 41, wherein the final organic extract product contains polyphenols.

48. A method of increasing the absorption across the intestinal mucosa, oral mucosa, nasal mucosa and skin of a subject of an administered composition of matter that is difficult to absorb, comprising the step of admixing said composition with the olive kernel extract product of any one of claims 40-47 in ve proportions that permit maximum solubility in the extract product and maximum absorption into the circulation, prior to administration of said composition to said subject.

Remarks

It is the intent of the applicant to limit the claims of this